

DSJ-10670/US

Page 8

REMARKS

Claims, 1 to 3, 5 to 7, 9 and 10, 12 to 14 and 18 and 19 are respectfully submitted as being directed to novel and patentable matter and are clearly not anticipated by U.S. Patent 5,894,700 to Herbst for the reasons set out below in the remarks.

The Examiner's analysis of Herbst has been carefully considered and it is respectfully submitted that Herbst does not show an article retaining CHANNEL and simply does not show any frame structure which RETAINS anything. With the greatest respect, there is no such thing as a "L-shaped" channel. What has been identified in the Official Action in the showing of Figure 8A as an "L-shaped" channel between the end point 41 of the curved portion 40 of the one frame and the end of 44 is not a channel at all. A channel is something that is U-shaped with two side walls as defined in *Webster's Ninth New Collegiate Dictionary*, page 226, a copy of which is attached. Also attached is a copy from a publication on the physical appearance of shapes which are described in words. From this again you will see that the physical shape of channel shaped is U-shaped.

Applicant's two frames when brought together define a channel therebetween which OPENS INTO THE AREA CIRCUMSCRIBED BY THE FRAMES AND RETAINS an article. As set out on page 1006 of *Webster's Ninth New Collegian Dictionary*, retain means "2: to hold secure". When applicant's two frames are brought together to form a CHANNEL, they engage the article on opposite sides to hold it securely in place. The channel is further variously defined in the claims as opening into the area circumscribed by the frames when they have been brought together. When Herbst's two frame members 20 and 21 are brought together, they only form an abutment against which the window 15 simply abuts but is not held at all, let alone held securely. Herbst requires his frame 21 to be slotted to receive four separate

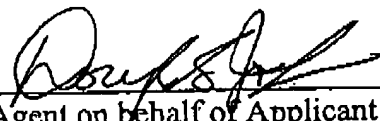
DSJ-10670/US

Page 9

holding strips (26, 26, 28 and 29) plugged into the frame slots in order to retain his window. (See Herbst Column 3, lines 6 and 7.)

In light of the above, it is respectfully submitted that Herbst clearly does not anticipate Claims 1 to 3, 5, 7, 9, 10, 12 to 14 and 17 to 19 and that these claims are directed to a novel meritorious invention and should be allowed together with the newly presented claims.

Respectfully submitted,


Agent on behalf of Applicant
Douglas S. Johnson
Registration No. 15,945
416-368-8313

DSJ/af

Enclosure: Definitions & Excerpt

BEST AVAILABLE COPY



**WEBSTER'S
Ninth New
Collegiate
Dictionary**

BEST AVAILABLE COPY

ions received in exchange for an equivalent sum in larger denomina-
 tions. **b**: money returned when a payment exceeds the amount due. **c**
 : coins of low denominations (a pocketful of ~). **5**: an order in which
 a set of bells is struck in change ringing.

change-able \ˈchān-jə-bəl\ *adj* (13c): capable of change: as **a**: able or
 apt to vary (~ weather). **b**: subject to change: **ALTERABLE**. **c**

: **FICKLE**. **d**: **IRIDESCENT** — **change-abil-ity** \ˈchān-jə-ˈbɪl-ə-ti\ *n* —
change-able-ness \ˈchān-jə-bəl-nəs\ *n* — **change-ably** \-bəl\ *adv*

change-ful \ˈchānj-fəl\ *adj* (1606): notably variable: **UNCERTAIN** —
change-ful-ly \-fəl\ *adv* — **change-ful-ness** *n*

change-less \ˈchānj-ləs\ *adj* (1580): marked by the absence of change:
CONSTANT — **change-less-ly** *adv* — **change-less-ness** *n*

change-ling \ˈchānj-lɪŋ\ *n* (1555) **1** *archaic*: **TURNCOAT**. **2**: a child
 secretly exchanged for another in infancy. **3** *archaic*: **IMBECILE** —

changeling *adj*
change-off *vi* (1873) **1**: to alternate with another at doing an act. **2**
 : to alternate between two different acts or instruments or between an

action and a rest period
change of heart (1828): a reversal in position or attitude
change of life (1834): **CLIMACTERIC** **2**

change of pace (1912) **1**: **CHANGE-UP**. **2**: an interruption of continuity
 by a shift to a different activity

change-over \ˈchān-jō-vər\ *n* (1907): **CONVERSION**, **TRANSITION**
change ringing *n* (1872): the art or practice of ringing a set of tuned
 bells (as in the bell tower of a church) in continually varying order

change-up \ˈchān-jəp\ *n* (1949): a slow pitch in baseball thrown for
 deception with the same motion as a fastball

chan-nel \ˈchan-nəl\ *n* [*ME. chanel*, *fr. MF, fr. L. canalis*] **channel** — more
 at **CANAL** (14c) **1** **a**: the bed where a natural stream of water runs
b: the deeper part of a river, harbor, or strait. **c**: a strait or narrow

sea between two close landmasses. **d**: a means of communication or
 expression; as (1) a path along which data passes or along which
 data may be stored serially (as in a computer). (2) *pl*: a fixed or offi-

cial course of communication (went through established military ~s
 with his grievances). **e**: a way, course, or direction of thought or ac-

tion (new ~s of exploration). **f**: a band of frequencies of sufficient
 width for a single radio or television communication. **2**: a usu. tubu-

lar enclosed passage; **CONDUIT**. **3**: a long gutter, groove, or furrow. **4**
 : a metal bar of flattened U-shaped section

channel *vt* -neled or -neling (15c) **1** **a**: to form,
 cut, or wear a channel in. **b**: to make a groove in (~ a chair leg). **2**
 : to convey or direct into or through a channel (~ his energy into

constructive activities)
channel *n* [*alter. of chainwale, fr. chain + wale*] (1769): one of the flat
 ledges of heavy plank or metal bolted edgewise to the outside of a ship

to increase the spread of the shroud
channel bass *n* (1889): a large coppery drum (*Sciaenops ocellatus*) with
 a black spot at the base of the tail that is an important game and food

fish of the Atlantic coast of No. and So. America — called also **red**
drum, **redfish**

channel catfish *n* (1836): a large black-spotted catfish (*Ictalurus punc-*
tatus) that is an important freshwater food fish of the U.S. and Canada
 — called also **channel cat**

chan-nel-ize \ˈchan-nəl-īz\ *vt* -ized; -iz-ing (1609) **1**: **CHANNEL**. **2**: to
 straighten by means of a channel (~ a stream) — **chan-nel-iza-tion**

\ˈchan-nəl-ī-zā-shən\ *n*
chan-son \ˈshā-sɔn\ *n. pl. chan-sons* \-sɔnz\ [*F, fr. L. cantio, fr.*
cantus, pp.] (1602): **SONG**; specif: a music hall or cabaret song

chan-son de geste \ˈshā-sɔn də ˈɡɛst\ *n. pl. chan-sons de geste* (1602):
 a long heroic poem (12c-13c) in Old French or Old Occitan

chan-son de mer \ˈshā-sɔn də ˈmɛr\ *n. pl. chan-sons de mer* (1602):
 a long heroic poem (12c-13c) in Old French or Old Occitan

chan-son de vaillance \ˈshā-sɔn də ˈvæl-əns\ *n. pl. chan-sons de vaillance* (1602):
 a long heroic poem (12c-13c) in Old French or Old Occitan

chan-son de vaillance \ˈshā-sɔn də ˈvæl-əns\ *n. pl. chan-sons de vaillance* (1602):
 a long heroic poem (12c-13c) in Old French or Old Occitan

chap *n*
exposu
chap *n*
jaw; *al*
face —
chap *n*
land —
chap-a-r
rreras] (
chap-ar
fr. Bas
broadly
ecologic
compris
winters
chaparra
chap-boo
containi
chaps \ˈc
: the me
chap-ean
[MF, fr.
chap-el \ˈ
cappa cl
relic in
private p
or institu
church
small reli
of a princ
: an asso
worship
nonconfo
vices in a
chapel of e
date an ex
chap-er-or
MF, head
for propn
public or
young pe
: one dele
chap-eron (
act as cha
\-rɔ-nɪ
chap-fall-en
hanging lo
chap-ter \ˈ
L capitul
chap-lain \ˈ
cappella] (
officially a
family or c
at a meetin
bishop (as
ship \ˈʃɪp
chap-let \ˈtʃ
gariand, fr.
chap-let \ˈtʃ
chap-let \ˈtʃ
chap-let \ˈtʃ

Page 1006

re-tain \ri-'tān\ *vt* [ME *reteinen*, *retainen*, fr. MF *retenir*, fr. L *retinēre* to hold back, keep, restrain, fr. *re-* + *tenēre* to hold — more at **THIN**] (15c) 1 *a*: to keep in possession or use *b*: to keep in one's pay or service; *specif*: to employ by paying a retainer *c*: to keep in mind or memory: REMEMBER 2: to hold secure or intact (lead ~s heat) *syn* see **KEEP**

retained object *n* (ca. 1904): an object in a passive construction (<me in a book was given me and book in I was given a book are retained objects>)

re-tain-er \ri-'tā-nər\ *n* (1540) 1: one that retains 2 *a*: a person attached or owing service to a household; *esp*: SERVANT *b*: EMPLOYEE 3: any of various devices used for holding something

retainer *n* [ME *reteiner* act of withholding, fr. *reteinen* + AF *-er* (as in *weyver* waiver)] (1778) 1: the act of a client by which he engages the services of a lawyer, counselor, or adviser 2: a fee paid to a lawyer or professional adviser for advice or services or for a claim on his services in case of need

re-take \('rē-'tāk\ *vt* -took \-'tūk\; -tak-en \-'tā-kən\; -tak-ing (15c) 1: to take or receive again 2: RECAPTURE 3: to photograph again

re-take \rē-'tāk\ *n* (1916): a second photographing or recording; *also*: an instance of this

re-tal-i-ate \ri-'tal-ē-'āt\ *vb* -at-ed; -at-ing [LL *retaliatus*, pp. of *retaliare*, fr. L *re-* + *talio* legal retaliation] *vt* (1611): to repay (as an injury) in kind ~ *vi*: to return like for like; *esp*: to get revenge *syn* see **RECIPROCATATE** — **re-tal-i-a-tion** \ri-'tal-ē-'ā-shən, rē-\ *n* — **re-tal-i-a-tive** \ri-'tal-ē-'āt-iv\ *adj* — **re-tal-i-a-to-ry** \-'tal-yə-'tōr-ē, -'tal-ē-'tōr-\ *adj*

re-tard \ri-'tārd\ *vb* [ME *retarden*, fr. MF or L; MF *retarder*, fr. L *re-tardare*, fr. *re-* + *tardus* slow] *vt* (15c) 1: to slow up *esp*. by preventing or hindering advance or accomplishment: IMPEDE 2: to delay academic progress by failure to promote ~ *vi*: to undergo retardation *syn* see **DELAY** — **re-tard-er** *n*

re-tard *n* (1788) 1 \ri-'tārd\ : a holding back or slowing down; **RETARDATION** 2 \rē-'tārd\ : RETARDATE

re-tar-dant \ri-'tārd-'nt\ *adj* (1642): serving or tending to retard (flame-retardant fabrics) — **retardant** *n*

re-tar-date \-'tārd-'āt, -pt\ *n* (ca. 1915): a mentally retarded person

re-tar-da-tion \rē-'tārd-'dā-shən, ri-\ *n* (15c) 1: an act or instance of retarding 2: the extent to which something is retarded 3: a musical suspension; *specif*: one that resolves upward 4 *a*: an abnormal slowness of thought or action; *also*: less than normal intellectual com-

How to Say What Stuff Looks Like

A Compendium of Descriptive Terminology

by Thomas Rieder, B.A.Sc., P. Eng.

BEST AVAILABLE COPY

Copyright © 1983 by Merriam-Webster Inc.

Philippines Copyright 1983 by Merriam-Webster Inc.

First Printing 1983

ISBN 0-919028-65-9 (plain)
0-919028-66-7 (indexed)

COLLEGIATE trademark Reg. U.S. Pat. Off.

All rights reserved. No part of this work covered by the copyrights hereon may be reproduced or copied in any form or by any means—graphic, electronic, or mechanical, including photocopying, recording, taping, or information storage and retrieval systems—without written permission of the publisher.

Made in the United States of America

1 RMcN 83

BEST AVAILABLE COPY

NON-MATHEMATICAL DESCRIPTIVE TERMS 63

Cell-like: Chambered, lattice-like, reticular, reticulate, cancellate, concamerate, compartmented. See "chambered".



Chain-like: Catenulate, concatenation (chain-like series of events or elements). See also "catenary" in Chapter 2.



Chambered: See "cell-like", this page. The illustration at left is only one of many "chambered" configurations.



Channel-shaped: Channeled, grooved, canaliculate, groove, furrow.



Checkered: Tessellate, tessellated ("resembling a mosaic"), plaid.

note
the
U-shape

BEST AVAILABLE COPY